

# Exhibit C

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**IN RE: BLUE CROSS BLUE  
SHIELD ANTITRUST  
LITIGATION  
(MDL No.: 2406)**

**Master File No. 2:13-CV-20000-RDP**

**This document relates to:**  
**THE PROVIDER TRACK**

**DECLARATION OF SHANNON R.  
WHEATMAN, PH.D. ON  
IMPLEMENTATION OF  
THE NOTICE PLAN**

I, Shannon R. Wheatman, being duly sworn, hereby declare as follows:

1. I am a partner with Signal Interactive Media (“Signal”), an advertising and notification consulting firm in Washington, D.C., specializing in designing and implementing bankruptcy and class action notification programs. My business address is 1300 Connecticut Ave. NW, Suite 375, Washington, D.C. 20036.

2. This declaration will describe the notices and the Notice Program implemented here for *In re: Blue Cross Blue Shield Antitrust Litigation*, including why I believe they were effective and satisfy the requirements of Federal Rule of Civil Procedure 23(c) and due process.

3. Signal was retained to assist BrownGreer PLC in designing and implementing the Notice Plan in this litigation. In my initial declaration, the *Amended Declaration of Shannon R*

*Wheatman, Ph.D on Adequacy of Notices and Notice Plan*, dated October 23, 2024, submitted along with my C.V., I detailed my class action notice experience, expertise in the form and content of class action notice, and publications on notice and due process. I also provided my educational and professional experience relating to class action notice programs and the ability to render opinions on the overall adequacy of the notice program. I submit this declaration to describe the implementation of the Notice Plan.

### **OVERVIEW**

4. In developing the Notice Plan, it was determined that a list of potential Class Members could be created from the available contact information of active healthcare facilities, physicians, and Ancillary Providers,<sup>1</sup> and that it would be reasonable to implement an individual direct notification effort to reach Class Members using this list.

5. A digital media program provided supplemental notice to Ancillary Providers unlikely to be on this list who are likely retired, as well as practicing dentists<sup>2</sup> and optometrists.

6. The various forms of Notice are described below. All forms of Notice are clear, concise, and in plain, easily understood language.

7. As detailed below, in my opinion, the Notice Plan represents the best notice practicable under the circumstances.

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<sup>1</sup> As defined in the *Amended Declaration of Shannon R. Wheatman, Ph.D. on Adequacy of Notices and Notice Plan*, October 23, 2024.

<sup>2</sup> Dentists were targeted in Arkansas, California, Connecticut, Florida, Illinois, Maryland, Massachusetts, Michigan, New Mexico, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Vermont, and Washington.

## **NOTICE PLAN**

8. In this case, the Notice Plan was designed to reach the greatest practicable number of Class Members, ensuring they will be exposed to the Notice and able to see, review, and understand it.

### **Direct Notice**

10. Between December 16, 2024, and December 20, 2024, a Mail and/or Email notice was sent to 3,343,640 identifiable Class Members. The mailed notice consisted of a postcard. Email Notices were sent to any Class Member with a valid email address. The Notice provided Class Members an opportunity to see, read, and understand their rights and act if they so choose.

11. Specific information regarding the Direct Notice portion of the Notice Program is provided in the *Declaration of Roma Petkauskas on the Implementation and Adequacy of the Notice Plan and Administration*, which is being filed concurrently.

13. According to BrownGreer, as of April 18, 2025, 89.8% of notices were delivered after all mailings were completed. In my experience, that high deliverability rate indicates a successful Direct Notice Plan.

### **Digital Media**

#### **A. Online**

14. Internet advertising delivered an immediate message and allowed viewers to click on a banner advertisement and instantly be directed to the case website at [www.BCBSprovidersettlement.com](http://www.BCBSprovidersettlement.com) for further information.

15. From January 5, 2025, until February 2, 2025, over 18 million gross impressions<sup>3</sup> of banner and social media ads were delivered across various websites and apps.

16. Ads were delivered across devices (desktop, mobile, and tablet). Examples of the ads as they appeared to the public are attached hereto as Exhibit A.

17. Online impressions were delivered using the following targeting strategies:

- (i) **Behavioral Targeting:** Ads targeted to Ancillary Providers aged 55 and older who recently visited websites for their respective field journals and associations (*e.g.*, the American Psychological Association, the American Association of Nurse Practitioners, and the American Chiropractic Association).
- (ii) **Geotargeting:** Ads targeted to households of people over age 55 with matching job titles for Ancillary Providers.
- (iii) **Professional Associations/ Journals:** Advertising placed on digital inventory owned by relevant professional associations (*e.g.*, the National Association of Social Workers) and sponsored content targeted to members of select professional groups (*e.g.*, the American Association of Nurse Practitioners, the American Academy of Physician Associates, the American Counseling Association, and the American Psychological Association).
- (iv) **Healthcare Provider Audiences:** Ads targeted to Ancillary Providers based on their National Provider Identification (NPI) number.
- (v) **Third-Party Data Targeting:** Ads targeted to third-party data segments for the various sub-groups of Ancillary Providers.

#### **B. Social Media to Potential Class Members**

18. Ads were delivered on three social media networks from January 5, 2025, until February 2, 2025.

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<sup>3</sup> Gross impressions are the total number of times a digital ad is shown. This figure does not represent the total number of unique viewers of the ad, as some viewers may see an ad more than once.

NETWORK	DESCRIPTION
<b>Facebook/Instagram</b>	Newsfeed ads targeted to: (1) Digital profiles matching Class Members from the list of retired Ancillary Providers and (2) People with relevant Ancillary Providers' job titles ( <i>e.g.</i> , Occupational Therapist, Nutritionist, Physician Assistant).
<b>LinkedIn</b>	Ads targeted to: (1) People with relevant Ancillary Provider job titles ( <i>e.g.</i> , Speech Language Pathologist, Genetic Counselor, Lactation Consultant).

### **Earned Media**

20. An earned media program was also implemented to amplify the paid media and provide additional notice to Class Members. On December 16, 2024, a news release was distributed on PR Newswire news circuits, reaching traditional media outlets (television, radio, newspapers, magazines) and national websites. The release highlighted the toll-free telephone number and case website so that potential claimants could obtain information.

21. A copy of the press release is attached hereto as Exhibit B. The press release generated 650 pickups of the full text, which resulted in a total potential audience of 196.8 million.

### **Case Website**

22. An informational website for the case is available at [www.BCBSprovidersettlement.com](http://www.BCBSprovidersettlement.com). This website was referenced in all advertising and includes the Settlement Agreement, a list of frequently asked questions, and online claim forms.

### **NOTICE FORM AND CONTENT**

24. The notices effectively communicated the required information about the settlement.

25. Fed. R. Civ. Proc. 23(c)(2) requires class action notices to be written in "plain, easily understood language." In this case, all notice materials are in plain, easily understood language.

26. The detailed notice, available at the case website, provides substantial information, including background on the issues in the case and specific instructions Class Members need to follow to properly exercise their rights. No important or required information was missing or omitted. It was designed to encourage readership and understanding in a well-organized, reader-friendly format.


27. The postcard and email notices are designed to capture Class Members' attention with concise, plain language. They directed readers to the case website or toll-free number for more information.

### **CONCLUSION**

28. It is my opinion that the Notice Program provides the best notice practicable under the circumstances. It is consistent with the standards employed by Signal in notification programs designed to reach Class Members. The Notice Program, as designed, is fully compliant with Rule 23 of the Federal Rules of Civil Procedure.

I declare under penalty of perjury that, after reasonable inquiry, the foregoing is true and correct to the best of my knowledge, information, and belief.


Dated: April 22, 2025  
Souderton, Pennsylvania

  
Shannon R. Wheatman, Ph.D.  
Partner, Signal Interactive Media


# **EXHIBIT A**



Facebook




BCBS Provider Settlement

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\$2.8 billion settlement between BCBS & providers. Covers July 2008 to October 2024.




Blue Plan Settlement

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## Display

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usatoday.com/story/money/2025/01/26/part-time-workers-401k-retirement-savings/77956382007/

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Kailey Hagen The Motley Fool  
Published 3:01 p.m. ET Jan. 26, 2025

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TRAVEL

## I've lived in Florida for over 25 years and always tell tourists to visit these 7 spots

Veronica Croes Jan 26, 2025, 1:47 PM UTC

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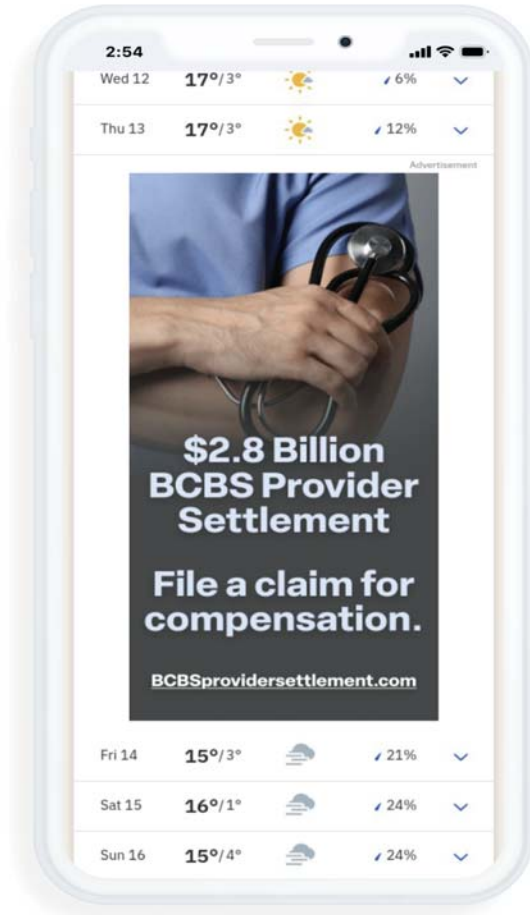
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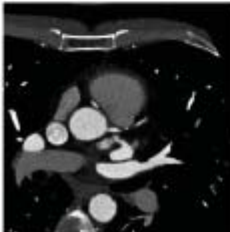
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**Case of the Day**




**Interarterial course and occlusion of the right coronary artery**  
Contributed by Joostien Fager

An anomalous origin of the right coronary artery from the left coronary sinus and an interarterial and probably intramural course is a coronary anomaly with a high risk of hemodynamic significance.


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## National Association of Social Workers



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**\$2.8 Billion BCBS Provider Settlement**  
**File a claim for compensation.** [BCBSprovidersettlement.com](http://BCBSprovidersettlement.com)

### Aging

The dramatic growth in the number of adults aged 65 and older, combined with overall population aging, affects not only families and workplaces, but also health care and social service delivery systems. Meeting the needs and leveraging the contributions of an increasingly diverse older population presents both challenges and opportunities to social workers and other service providers.

Find tools, information, and resources to enhance social workers' capacity to support both older adults and family caregivers.

### Practice

- > [Aging](#)
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- > [School Social Work](#)

## American Psychological Association

1/31/25, 9:36 AM

The Messina Group Mail - Member Update: Engaging Psychology's Future

 <p><b>\$2.8 Billion BCBS Provider Settlement</b></p> <p><b>File a claim for compensation.</b></p> <p>BCBSprovidersettlement.com</p>	<p>APA MEMBER</p> <p><b>Advantage Program</b></p> <p>Get access to exclusive member discounts on products and services that support your personal and professional needs</p> <p><a href="#">Learn More</a></p> 
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APA is accepting applications for mentees and mentors for our Disability Mentoring Program. Learn more and apply by January 15.

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### VOICE YOUR OPINION

#### Comment on the New Draft Ethics Code

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## **EXHIBIT B**

# Healthcare Providers for Blue Plan Patients Eligible for Share of \$2.8 Billion Settlement

NEWS PROVIDED BY  
**Whatley Kallas, LLP →**  
Dec 16, 2024, 14:00 ET

BIRMINGHAM, Ala., Dec. 16, 2024 /PRNewswire/ -- **Whatley Kallas, LLP Announces Major Settlement for Healthcare Providers**

A landmark \$2.8 billion settlement has been reached with the Blue Cross Blue Shield Association ("BCBSA") and participating Individual Blue Plans ("Settling Defendants"). The settlement resolves claims brought by healthcare providers alleging anti-competitive practices, including agreements to divide geographic service areas and price-fixing for healthcare services. The Settling Defendants deny these allegations but have agreed to the settlement to avoid prolonged litigation.

## Who Is Included in the Settlement Class?

The Settlement Class includes healthcare providers across the United States who, between **July 24, 2008, and October 4, 2024**, provided services, equipment, or supplies to patients insured by, or beneficiaries of, any plan administered by a Settling Individual Blue Plan. Certain providers are excluded; details on exclusions are available at the website below.

## Settlement Highlights

- **\$2.8 Billion Settlement Fund:** A fund will be established, with \$100 million allocated for notice and administration costs.
- **Business Practice Reforms:** The settlement includes commitments to changes that will:
  - Increase competition in the healthcare marketplace.
  - Transform the BlueCard program.
  - Improve provider interactions with Settling Individual Blue Plans.

### Important Deadlines for Eligible Providers

- **Claim Submission Deadline:** Submit a claim form online or by mail no later than **July 29, 2025**.
- **Exclusion Deadline:** Eligible providers that want to sue the Settling Defendants must exclude themselves from the Class by **March 4, 2025**.
- **Objection Deadline:** File objections to the settlement by **March 4, 2025**.
- **Fairness Hearing:** The Court will decide whether to approve the Settlement at a hearing on **July 29, 2025**, at 9:30 a.m. The hearing will also address attorneys' fees (up to 25% of the Settlement Fund) and expense reimbursements of approximately \$100 million.

### Where to Get More Information

For further details about the Settlement, deadlines, and eligibility, visit the settlement website or contact the Settlement Administrator:

- **Website:** [www.BCBSprovidersettlement.com](http://www.BCBSprovidersettlement.com)
- **Phone:** (888) 452-3095
- **Email:** [info@BCBSprovidersettlement.com](mailto:info@BCBSprovidersettlement.com)
- **Mail:** BCBS Provider Settlement, P.O. Box 26443, Richmond, VA 23261

### Media Contacts:

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(800) 745-8153

[BCBSProviderSettlement@whatleykallas.com](mailto:BCBSProviderSettlement@whatleykallas.com)